

Jul-15-05 08:29am From-

T-887 P 02/04 F-810

FILED

JUL 15 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

E-FILING

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID M. FISH, et al.,

Defendants.

No. CR 05-00445 RMW/HRL

**JOINT STIPULATION TO STAY
ISSUANCE OF BENCH WARRANT**

The United States of America, by Mark L. Krotoski, Assistant United States Attorney, and Defendant David M. Fish, by and through his attorney, hereby enter into this joint stipulation.

The parties stipulate and ask the Court to adopt as its FINDINGS that:

1. Mr. Fish's case was set for arraignment on the indictment on July 14, 2005, at 9:30 a.m.
2. Mr. Fish was not present at that time.
3. The court entered a bench warrant for Mr. Fish's arrest but agreed to stay it for twenty-four hours until July 15, 2005.

JOINT STIPULATION AND ORDER STAYING ISSUANCE OF BENCH WARRANT

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4. Since that time, the parties have learned that Mr. Fish had been confused regarding the arraignment date.
5. Mr. Fish fully intends to appear for arraignment before the court.
6. Because Mr. Fish will need to make travel arrangements to San Jose, the parties request that Mr. Fish's arraignment be re-set for July 21, 2005, at 9:30 a.m. and that the issuance of the bench warrant be stayed until that time.

THE PARTIES SO STIPULATE.


Dated: July 14, 2005

OFFICE OF THE UNITED STATES ATTORNEY


MARK E. KROTOSKI, Assistant United States Attorney

Dated: July 14, 2005

LAW OFFICES OF PAUL B. MELTZER


NICOLE C. HERRON, Attorney for Defendant,
David M. Fish

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID M. FISH, et al.,

Defendants.

[PROPOSED] ORDER

For the reasons stated in the above Stipulation, IT IS HEREBY ORDERED that the arraignment of Defendant David M. Fish is re-set for July 21, 2005, at 9:30 a.m. and that the issuance of the bench warrant is stayed until that time.

Howard Lloyd
Magistrate Judge

DATE:

TIME:

7/15/05

JOINT STIPULATION AND ORDER STAYING ISSUANCE OF BENCH WARRANT

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